

**Town of La Pointe Zoning
Town Plan Commission Special Monthly Meeting Minutes
June 7, 2012**

Town Plan Commission (TPC) Members Present: Ted Pallas, Chair, Charles Brummer, Vice-Chair, Suellen Soucek, Joan Martin, Greg Thury (arrives at 4:45), Larry Whalen (6).

Town Plan Commission Members Absent: Carey Baxter (1).

Public Present: Susan Hartzell, Jay Wiltz, Dave Thomas, Tina Nelson, Harry Demorest, Jim Rogers (6).

Town Staff Members Present: Jen Croonborg-Murphy, ZA, Margaretta Kusch, ZCA (2).

I. Call to Order/Roll Call

Chair Pallas called the Meeting to order at 4:33 PM at the La Pointe Town Hall. Roll call reflected members present or absent as recorded above.

II. Public Comment

Dave Thomas asks how approved minutes can be corrected if a person spots an error. The Zoning Administrator responds that minutes are public record and available on the Town website. Members of the public are welcome to review minutes and suggest corrections to Town committees.

III. Approval of Previous Meeting Minutes

a. Town Board/Town Plan Commission Special Meeting, May 3, 2012

- In item II, first paragraph, last sentence, change “need” to “needs.”
- In item II, fifteenth paragraph, first sentence, change “have” to “has.”

C. Brummer moves to approve the Town Board/Town Plan Commission Special Meeting minutes of May 3, 2012, as corrected. S. Soucek seconds. All in favor, 5 aye. Motion carries.

b. Town Plan Commission Regular Monthly Meeting, May 17, 2012

- In item VII.c, third paragraph, delete last four words (“as part of the”) and end sentence after “intentionally.”
- In item VII.c, thirteenth paragraph, insert “states that” after “G. Thury.”

C. Brummer moves to approve the Town Plan Commission Regular Monthly Meeting minutes of May 17, 2012, as corrected. S. Soucek seconds. All in favor, 5 aye. Motion carries.

IV. Zoning Administrator’s Report

The Zoning Administrator notes that this spring has seen more projects beginning without permits than ever before, and she has no idea why. It seems as if there are some property owners that have been misinformed by agents, so she is trying to be as accommodating to property owners as possible.

V. Consideration and/or Action of Permit Applications

VI. New Business

- a. Tina Nelson letter dated May 24th re: Harry Demorest/Black Dog property at 1360 Middle Rd, LP # 014-00163-0610.**

The question regarding this property is whether there will be any violations pursued by the Town. The Zoning Administrator has provided background info for the property, and after review, the Town Plan Commission agrees that there are no violations connected to the property at this time.

C. Brummer moves to instruct the Zoning Administrator to write a letter to whom it may concern that, based on current evidence, the Town Plan Commission is not going to pursue any violations of Technical Memorandum #3 at 1360 Middle Rd., LP #014-00163-0610. L. Whalen seconds. All in favor, 6 aye. Motion carries.

b. Interpretation of use of building and permit(s) required for building previously known as Madeline Island Motel, 261 Col. Woods Ave, LP# 014-00470-1200.

Mr. Wiltz states that the issue will most likely be resolved much more easily than had been expected. He'd thought that as the building was in the Commercial District, a motel was a permitted use. After speaking with the Zoning Administrator, he thinks that getting a Conditional Use Permit for the building would serve as a solution, and that the requirements for a rooming/boarding house are met in the building (kitchen requirements, number of people living there, square footage requirements, etc).

The Zoning Administrator states that it would be inspected every year as a boarding/rooming house, and that it should move forward without problems-there've been no complaints regarding the property.

Chair Pallas agrees that there shouldn't be problems with this, and advises Mr. Wiltz to start the Conditional Use Permit paperwork, as the process takes a while.

VII. Old Business

Chair Pallas moves to bring item b. up at this point. G. Thury seconds. All in favor, 6 aye. Motion carries.

a. Zoning Administrator request for Town Plan Commission interpretation per Zoning Ordinance Section 13.5.C re: use of "seasonal and recreational dwellings" (3) and "farmhouse" (1) at Craftivity, Inc., 978 Middle Rd., LP # 014-00178-0200. Is a permit required for rental of structures?

The Zoning Administrator has requested this interpretation as a result of a concern raised by a member of the public at the Town Annual Meeting about accommodation tax fees.

Chair Pallas states that, if the houses at MISA are for students, they are student housing and don't need rental permits. However, he feels that the farmhouse is a Single Family Dwelling (used for up to four instructors, who are paid by Craftivity) and would need a rental permit.

C. Brummer and S. Soucek agree with Chair Pallas that the Farmhouse requires a rental permit.

Chair Pallas moves to instruct Jen to send Craftivity a letter stating that it is the Town Plan Commission's interpretation that the Farmhouse requires a Rental of a Single Family Dwelling and the three cottages called seasonal recreational facilities are, in our interpretation, Dormitories and Student Housing and don't require a permit because they're short term. G. Thury seconds. All in favor, 6 aye. Motion carries.

b. Hartzell, Robert: interpretation of use of structures and permits required at LP #s 014-00192-0110, 014-00192-0120, 014-00192-0130, 014-00192-0140, 014-00192-0150, 014-00192-0515, and 014-00192-0516.

The Zoning Administrator reads aloud relevant definitions from the Zoning Ordinance:

“Boarding House: A building where lodging and meals are offered for three (3) or more persons, but not to exceed eight (8) non-transients who are not members of a family. This definition includes employee housing.”

“Dwelling, Single Family: A single family dwelling shall mean a building or structure designed or constructed to be occupied by a single family for the purposes of human habitation.

“Family: A person living alone or two or more people living together as a single housekeeping unit as distinguished from a group occupying a boarding house or rooming house.”

“Rooming House: A building where lodging is offered for three (3) or more persons, but not to exceed eight (8) non-transients who are not members of a family. This definition includes employee housing.”

The difference between short and long term rentals is also clarified. Short term rentals are rentals for less than one month and require a permit and fee. Long term rentals are for one month or more and require a permit but not a fee.

The uses of the seven properties are determined as follows:

#014-00192-0110 (Green Acres 2): Susan Hartzell states that there is one married couple living there. This dwelling is determined to need a Rental of a Principal Dwelling.

#014-00192-0120 (Green Acres 1): Susan Hartzell states that there are 5 unrelated people living there. This dwelling is determined to need a Boarding/Rooming House.

#014-00192-0130 (Lite House): Susan Hartzell states that there is one married couple with their child and one unrelated individual living in this house. This dwelling is determined to need a Rental of a Principal Dwelling.

#014-00192-0150 (Bayou): Susan Hartzell states that there is one woman with her daughter in this house. This dwelling is determined to need a Rental of a Principal Dwelling.

#014-00192-0140 (Manager House): Susan Hartzell states that there is one married couple living in this house. This dwelling is determined to need a Rental of a Principal Dwelling.

#014-00192-0515 (Penny Lane 1): Susan Hartzell states that there are two unrelated individuals living there. This dwelling is determined to need a Rental of a Principal Dwelling.

#014-00192-0516 (Penny Lane 2): Susan Hartzell states that there are two unrelated individuals living there. This dwelling is determined to need a Rental of a Principal Dwelling.

Susan will stop in to fill out the necessary permits for each parcel. The Zoning Administrator notes that there is time to get this done, as property owners had six months from the enactment of the revised Zoning Ordinance in March 2012 to update permits.

Chair Pallas moves to return to item a. at this point. G. Thury seconds. All in favor, 6 aye. Motion carries.

VIII. Future Agenda Items

- Hartzell, Robert re: Lightkeeper’s Lodge Conditional Use Permit parking requirements

IX. Schedule Future Meetings

- Town Plan Commission Regular Monthly Meeting to be held Thursday, June 21th, 2012, at 4:30 pm.

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X. Adjournment

G. Thury moves to adjourn. S. Soucek seconds. All in favor. Motion Carries. Meeting ends at 5:25 pm.

Town Plan Commission minutes respectfully submitted by Margaretta Kusch, ZCA on Thursday, June 14, 2012.

2nd draft minutes submitted by M. Kusch, ZCA on Friday, June 22, 2012.

Town Plan Commission minutes approved as amended on Thursday, July 5, 2012.